



UNITED STATES PATENT AND TRADEMARK OFFICE

107
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,695	07/16/2004	Tatsuhiko Suzuki	OOCL-163 (PC-P1780US	6636

26479 7590 04/18/2005

STRAUB & POKOTYLO
620 TINTON AVENUE
BLDG. B, 2ND FLOOR
TINTON FALLS, NJ 07724

EXAMINER

SMITH, PHILIP ROBERT

ART UNIT	PAPER NUMBER
----------	--------------

3739

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/501,695

Applicant(s)

SUZUKI, TATSUHIKO

Examiner

Philip R Smith

Art Unit

3739

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/16/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/16/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

[01] The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

[02] Claim 1 recites "the connection." There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

[03] The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

[04] Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Mochida et al (6,690,410).

[05] *With regard to claims 1-2, 7, & 10:* Mochida discloses an electronic endoscope system comprising a signal processing unit ("secondary circuit 6," which composes "CCU [camera control unit] 4," as described in column 8/ lines 14-33) that converts a signal read from a solid-state imaging device ("CCD 2," column 8/ lines 14-20) incorporated in an electronic endoscope ("electronic endoscope 3," column 8/ lines 9-14) into a predetermined video signal; a detector or detecting means (comprising "control unit 44," which detects a connection to "CCD identification signal generation unit 207," as described in column 16/ lines 10-18) that detects the connection to the signal processing unit; and a restricting unit or restricting means ("image enlargement expansion substrate 407," columns 18/66-19/17) for restricting processing to be performed by the signal processing unit (degree of electronic zooming, or "enlargement" of the endoscope image) according to the result of detecting (type of CCD; particularly number pixels) performed by the detector or detecting means.

[06] *With regard to claim 3:* Mochida discloses that the signal processing unit includes a main board ("main substrate 7") on which basic features are implemented, and an expansion board ("expansion substrate 41," "42," "43," etc. as described in 26/41-50) which is attachable or detachable to or from the main board (via "expansion connector 35," 26/45) and on which extension processing is performed on an image signal processed by the basic features; and the detector (further comprising "CPU 44b") detects whether the expansion board is present. (This process is described in detail from 28/59-30/38 with reference to Fig. 42-43, and is

paraphrased in 30/36-38 as follows: "The foregoing step[s]... are executed in order to identify an image processing expansion substrate connected through the expansion connector 35.")

[07] *With regard to claims 4, 8, & 9:* Mochida discloses that the restricting unit restricts a selective item to be contained in a setting screen image that helps a user determine settings for the processing to be performed by the signal processing unit. Mochida further discloses that the restricting unit restricts indication of a feature that achieves the processing to be restricted (30/51-59): "[t]he expansion control menu screen 40a is used to designate or control the contents of the process to be performed using an image processing expansion substrate." As shown above in rejection of claim 7, electronic zooming may be one of these restricted processes.

[08] *With regard to claim 5-6:* Mochida discloses that the restricting unit ("alternately comprising "CPU 1019") restricts lighting of an LED ("LEDs 1 to 5 1033a to 1033e," 44/20-24) on the front panel.

Conclusion

[09] The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Uchikubo (4891695) discloses a restricting unit which detects the type of SSID incorporated into an electronic endoscope. Uchikubo (4894715) discloses a restricting unit which detects the type of SSID incorporated into an electronic endoscope and has magnification capabilities. Saito (6184922)

Art Unit: 3739

discloses an electronic endoscope with a number of expansion units. Oshima (6638212) discloses a restricting unit which detects the type of SSID incorporated into an electronic endoscope and has expansion units that file images.

[10] Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip R Smith whose telephone number is (571) 272 6087. The examiner can normally be reached on 10:00-6:00.

[11] If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Linda Dvorak can be reached on (571) 272 4764. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

[12] Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

prs



John P. Leubecker
Primary Examiner